



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

January 26, 1996

CERTIFIED RETURN RECEIPT  
P 074 978 974

Mr. Robert A. James  
Pillsbury Madison & Sutro LLP  
P. O. Box 7880  
San Francisco, California 94120

Re: Old Reclamation Surety Bond, American Gilsonite Company, Bonanza Operations,  
M/047/010, Uintah County, Utah

Dear Mr. James:

On January 24, 1996, the Board of Oil, Gas and Mining formally approved the form and amount of replacement reclamation surety for American Gilsonite Company's Bonanza Operations. The replacement surety is in the form of a surety bond issued by United Pacific Insurance Company for the sum of \$324,900.

As requested in your letter of January 2, 1996, addressed to Mr. Clifford O. Doner, the Division hereby releases and returns to you the old original surety bond issued by United Pacific Insurance Company or the sum of \$500,000 dated February 1985.

Please call me if you have any questions in this regard.

Sincerely,

Anthony A. Gallegos  
Senior Reclamation Specialist

jb  
Enclosure: 1985 version of surety bond #U89 75 80-35 for \$500,000  
cc: Clifford O. Doner, American Gilsonite, SLC office  
Neldon Kunz, American Gilsonite, Bonanza Operations  
M047010.sur

Bond Number \_\_\_\_\_  
Permit Number Act.047.010

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340

## THE MINED LANDS RECLAMATION ACT

BOND  
\*\*\*\*\*

*Bond released  
1-26-96  
this Original sent to  
Robert James  
Pillsbury, Madison  
& Sutro L.L.  
San Francisco CA*

The undersigned American Gilsonite Company  
as principal, and UNITED PACIFIC INSURANCE COMPANY as  
surety, hereby jointly and severally bind ourselves, our heirs, administrators,  
executors, successors and assigns unto the State of Utah, Division of Oil, Gas  
and Mining in the penal sum of Five Hundred Thousand  
dollars (\$ 500,000.00 ).

The principal estimated in the Mining and Reclamation Plan filed with the  
Division of Oil, Gas and Mining on the 6th day of December  
1983, that 200 ± acres of land will be disturbed  
by this mining operation in the State of Utah. A description of the disturbed  
land is attached hereto as Exhibit "A."

When the Division has determined that the principal has satisfactorily  
reclaimed the above-mentioned lands affected by mining in accordance with the  
approved Mining and Reclamation Plan and has faithfully performed all  
requirements of the Mined Land Reclamation Act, and complied with the Rules  
and Regulations adopted in accordance therewith, then this obligation shall be  
void; otherwise it shall remain in full force and effect until the reclamation  
is completed as outlined in the approved Mining and Reclamation Plan.

If the approved plan provides for reclamation of the land affected on a  
piecemeal or cyclic basis, and the land is reclaimed in accordance with such  
plan, then this bond may be reduced periodically.

In the converse, if the plan provides for a gradual increase in the area  
of the land affected or increased reclamation work, then this bond may  
accordingly be increased with the written approval of the surety company.

The Division shall only accept the bond of a surety company if the bond is  
noncancellable by the surety at any time for any reason including, but not  
limited to nonpayment of premium or bankruptcy of the permittee during the  
period of liability.

NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officers with the seal of the corporation affixed.

AMERICAN GILSONITE COMPANY

Principal (Company)

By

Wilton L. Smith  
Company Official - Position

Date:

2/1/85

UNITED PACIFIC INSURANCE COMPANY

Surety (Company)

By

Lee Ramage  
~~Attorney-in-Fact~~  
Official of Surety - Position

DATE: February 1, 1985

BOARD OF OIL, GAS AND MINING

APPROVED AS TO FORM:

BY

Greg Will

By

Barbara W. Roberts  
Assistant Attorney General

Date:

2/28/85



# UNITED PACIFIC INSURANCE COMPANY

HEAD OFFICE, FEDERAL WAY, WASHINGTON

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That the UNITED PACIFIC INSURANCE COMPANY, a corporation duly organized under the laws of the State of Washington, does hereby make, constitute and appoint

LEE RAMAGE of SAN FRANCISCO, CALIFORNIA---

its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed

ANY AND ALL BONDS AND UNDERTAKINGS OF SURETYSHIP-----

and to bind the UNITED PACIFIC INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the UNITED PACIFIC INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney-in-Fact may do in pursuance hereof

This Power of Attorney is granted under and by authority of Article VII of the By Laws of UNITED PACIFIC INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows

### ARTICLE VII - EXECUTION OF BONDS AND UNDERTAKINGS

1 The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him

2 Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof

3 Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By Laws of the Company or any article or section thereof

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of UNITED PACIFIC INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed.

"Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached"

IN WITNESS WHEREOF, the UNITED PACIFIC INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate seal to be hereto affixed, this 14th day of February 19 83



UNITED PACIFIC INSURANCE COMPANY

*D. Keith Johnson*  
Asst. Vice President

STATE OF Washington  
COUNTY OF King } ss.

On this 14th day of February, 1983, personally appeared D. Keith Johnson

to me known to be the Vice-President of the UNITED PACIFIC INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company, and the Resolution, set forth therein, are still in full force.

My Commission Expires:

July 20, 19 86



*Elizabeth A. Morrow*  
Notary Public in and for State of Washington  
Residing at Milton

I, Charles J. Falskow

, Assistant Secretary of the UNITED PACIFIC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said UNITED PACIFIC INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 1st day of February 19 85



Assistant Secretary *Charles J. Falskow*

AFFIDAVIT OF QUALIFICATION

\_\_\_\_\_, being first duly sworn, on oath deposes and  
says that she is the (officer or agency) \_\_\_\_\_

State of California,

County of San Francisco, } SS:

On this 1st day of February, in the year 1985, before me Notary of Public  
personally appeared Lee Ramage, personally known to me (or proved to me  
on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument as the Attorney-In-Fact  
of UNITED PACIFIC INSURANCE COMPANY, and acknowledge to me that he (she) subscribed the name of UNITED  
PACIFIC INSURANCE COMPANY thereto as surety, and his (her) own name as Attorney-In-Fact.



My Commission expires \_\_\_\_\_, 19\_\_\_\_  
BDU-1818 ED. 6/82 (CALIF.)

*Margaret J. Duran*  
Notary Public in and for said County

My Commission Expires:

\_\_\_\_\_, 19\_\_\_\_.